

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks.

Claims 1-8, 10, and 12-15 are pending in the application, with claim 1 being independent. Applicant amends claim 1 to further clarify features of the claimed subject matter. The original specification and drawings support the claim amendment at least at page 9, lines 2-4 and 10-20 as well as figures 6 and 7. Therefore, claims 1-8, 10, and 12-15 are presented and directed to subject matter of the original disclosure.

CLAIM OBJECTIONS

Claim 1 is objected to because of the following informality: “stream *form* a second media”. Applicant amends claim 1 to state “stream *from* a second media” and respectfully requests that the claim objection be withdrawn.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103 A. AND B.

A. **Claims 1, 2, 4-8, 10, and 12-15** stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent Publication No. 2003/0167318 to Robbin et al (hereinafter “Robbin”) in view of U.S. Patent Publication No. 2003/0084452 to Ryan et al (hereinafter “Ryan”) and in further view of U.S. Patent Publication No. 2002/0010759 to Hitson et al. (hereinafter “Hitson”). Applicant respectfully traverses the rejection.

Without conceding the propriety of the stated rejection, and only to advance the prosecution of this application, Applicant amends **independent claim 1** to further clarify features of the claimed subject matter. Amended claim 1 now recites a computer-

readable storage medium comprising stored computer-executable instructions that perform the following when executed by a computer (emphasis added):

receiving a request to perform a media operation ***on a local media platform*** with respect to a media file, wherein the receiving is through a user interface, ***wherein the media player user interface integrating a media provider user interface is a universal user interface permitting access to a first stream from a first remote media provider and a second stream from a second remote media provider***;

determining a media provider from a plurality of media providers to which the media file is attributable;

assessing if the media provider allows the media operation to be performed with respect to the media file;

performing the requested media operation if allowed by the media provider; and

denying the requested media operation if not allowed by the media provider.

Applicant respectfully submits that the Office has failed to show that such a user interface is disclosed, taught, or suggested by Robbins, Ryan and/or Hitson, alone or in combination.

References Fail to Disclose, Teach or Suggest the Claimed User Interface

Applicant agrees with the Office that Robbins fails to disclose the UI being a universal UI permitting access to a first stream from a first media provider and a second stream from a second media provider. *See*, Office Action, page 3.

However, Applicant submits that Ryan and Hitson fail to compensate for the deficiencies of Robbins. For example, Ryan describes an entertainment portal, which serves as a common interface to access local and remote entertainment content, integrate and categorize it, and then display it on a single HDTV display screen. *See*, paragraph [0006]. The entertainment portal in Ryan establishes a user interface (UI), hosted

remotely, and cached locally, rather than in the conventional set-top-box. *See*, paragraph [0021].

In contrast, Applicant's amended claim 1 recites "*receiving a request to perform a media operation on a local media platform with respect to a media file, wherein the receiving is through a user interface, wherein the media player user interface integrating a media provider user interface is a universal user interface permitting access to a first stream from a first remote media provider and a second stream from a second remote media provider.*"

To further assist the Office in appreciating the claimed subject matter, the following illustrative excerpt is reproduced from the Applicant's Specification.

Applicant's Specification

The computer 608 communicates with various media content sources across a communication network 616. The communication network 616 can be a global internet, a local intranet, and the like. The communication network 616 can communicate with the computer 608 in various ways, such as across standard land-line wires, fiber optic wires, or wirelessly.

Through use of the communication network 616, the computer 608 communicates with media content providers, such as a first media provider 618, a second media provider 620, and a third media provider 622. User interfaces and functionality (discussed in greater detail below) from these media providers can be integrated into the media platform 614 to allow a user to access and use media from multiple media providers.

(Page 8, lines 14-24).

Fig. 10 shows a flow diagram 1000 for enabling a user to access and interact with a remote media provider.

The flow diagram 1000 shows actions performed by the media platform 614 that allow a user to access and view media operations from the remote media provider. These actions performed can also enable performance of an

operation selected by the user while connected across the communication network 616 to a remote media provider. (Page 21, lines 11-17).

Hitson also fails to compensate for the deficiencies of Robbins. For example, Hitson is directed to a system and method which allows multimedia content to be delivered. *See, Abstract.* Users in Hitson may indicate a preference for a particular type or types, and content may be chosen based on user preferences. *Id.*

Thus, Robbin, Ryan, and/or Hitson, alone or in combination, do not disclose, teach, or suggest the claimed subject matter. Accordingly, Applicant submits that the evidence relied upon by the Office no longer supports the rejections made under § 103 and respectfully requests that the § 103 rejection be withdrawn.

Claims 2, 4-8, 10, and 12-15 depend directly or indirectly from independent claim 1 and are allowable by virtue of this dependency, as well as for additional features that they recite. Applicant also respectfully requests individual consideration of each dependent claim.

Applicant respectfully submits that the cited references do not render the claimed subject matter obvious and that the claimed subject matter, therefore, patentably distinguishes over the cited references. For all of these reasons, Applicant respectfully requests that the § 103 rejection of these claims should be withdrawn.

B. Claim 3 stands rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent Publication No. 2003/0167318 to Robbin et al (hereinafter “Robbin”) in view of U.S. Patent Publication No. 2003/0084452 to Ryan et al. (hereinafter “Ryan”) in

further view of U.S. Patent Application No. 2002/0010759 to Hitson et al. (hereinafter “Hitson”) and in further view of U.S. Patent Application No. 2004/0248561 to Nykanen et al. (hereinafter Nykanen). Applicant respectfully traverses the rejection.

Dependent claim 3 recites “*the computer-readable medium of claim 1, wherein the determining is performed by finding a unique identifier associated with the media provider that is within a header of the media file.*”

Applicant respectfully submits that the Office has failed to show that such a computer-readable media is disclosed, taught, or suggested by Robbin, Ryan, Hitson, and/or Nykanen, alone or in combination.

Reference Fail to Disclose, Teach or Suggest the Claimed Subject Matter

As explained above, Applicant submits that Robbin, Ryan, and/or Hitson fail to disclose, teach, or suggest the features of independent claim 1. **Dependent claim 3** depends directly from independent claim 1 and is allowable by virtue of this dependency. This dependent claim is also allowable for its own recited features that, in combination with those recited in claim 1, are not disclosed, taught, or suggested by Robbin, Ryan, and/or Hitson.

Nykanen fails to compensate for the deficiencies of Robbin, Ryan, and Hitson. Rather, Nykanen is directed to a system, method, and apparatus that enables an end user of a mobile terminal to establish a primary content channel having primary content feedback provided via a path. *See, Abstract.* In response, a user interface logic block in Nykanen detects the primary content channel selection and queries a media channel

controller for secondary content channel selections that may be instantiated in response to the primary content channel selection.

Thus, Robbin, Ryan, Hitson, and Nykanen alone or in combination, do not disclose, teach, or suggest the claimed subject matter. Accordingly, Applicant submits that the evidence relied upon by the Office no longer supports the rejections made under § 103 and respectfully requests that the § 103 rejection be withdrawn.

CONCLUSION

Claims 1-8, 10, and 12-15 are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of the subject application. If any issue remains unresolved that would prevent allowance of this case, the Office is requested to contact the undersigned attorney to resolve the issue.

Respectfully submitted,

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